

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

1201 NORTH MARKET STREET
P.O. Box 1347
WILMINGTON, DELAWARE 19899-1347

302 658 9200
302 658 3989 FAX

MARYELLEN NOREIKA
302 351 9278
302 425 3011 FAX
mnoreika@mnat.com

April 19, 2006

BY ELECTRONIC FILING

Peter T. Dalleo, Clerk
United States District Court
844 King Street
Wilmington, DE 19801

Re: Affymetrix, Inc. v. Illumina Inc., C.A. No. 04-901 (JJF)

Dear Dr. Dalleo:

In connection with filing Affymetrix, Inc.'s Responsive Claim Construction Brief (D.I. 250), we inadvertently attached the wrong document as Exhibit 28. Please substitute the enclosed document for the one designated Exhibit 28 in the filed version of the brief.

We apologize for any inconvenience.

Respectfully,

/s/ Maryellen Noreika (#3208)

Maryellen Noreika

/bls

cc: Richard K. Herrmann, Esquire (By Hand Delivery)
Mark Pals, Esquire (By Email)